

State of South Dakota

SEVENTY-SIXTH SESSION LEGISLATIVE ASSEMBLY, 2001

400E0724

SENATE BILL NO. 211

Introduced by: Senators Bogue, Brown (Arnold), Duxbury, and Vitter and Representatives
Jaspers, Broderick, Brown (Richard), Derby, Koistinen, Peterson (Bill),
Richter, and Teupel

1 FOR AN ACT ENTITLED, An Act to restrict the erection or placement of unauthorized signs
2 in any public highway right-of-way.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 31-28 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No person may place or maintain any unauthorized sign, signal, marking, or device within
7 any public right-of-way or attach any sign, signal, marking, or device to any existing sign or post
8 in a public highway right-of-way. A violation of this section is a Class 1 misdemeanor. In
9 addition to any other penalty provided by law, the court, as a part of the sentence, shall assess
10 the actual costs of removing the unauthorized sign, signal, marking, or device, in an amount of
11 not less than one hundred dollars plus actual legal costs, against any person violating this section.

12 Section 2. That § 31-28-22 be amended to read as follows:

13 31-28-22. Every sign, signal ~~or marking, marking, or device~~ prohibited by §§ 31-28-19 ~~and~~
14 , 31-28-20, and section 1 of this Act is hereby declared to be a public nuisance and the

- 1 Department of Transportation is hereby ~~empowered to~~ may remove the same or cause it to be
- 2 removed without notice.